



**Sentencing Policy Study Committee**  
**Memoranda of Meeting Held on October 20, 2004**

**Members in Attendance**

Rep. William Crawford, Indiana House of Representatives  
Hon. Richard Good (Ret.), On behalf of Chief Justice Shepard  
Sen. Glenn Howard, Indiana Senate  
Sheila Hudson, Allen Co. Community Corrections  
Steve Johnson, Executive Director Indiana Prosecuting Attorney's Council  
Larry Landis, Executive Director Indiana Public Defender Council  
Sen. David Long, Sentencing Policy Study Committee Chair, Indiana Senate  
Todd McCormack, Hendricks Co. Probation  
Hon. Tanya Walton Pratt, Marion Co. Superior Court  
Evelyn Ridley-Turner, Commissioner Indiana Department of Correction  
Hon. Randall Shepard, Chief Justice Indiana Supreme Court  
Robin Tew, Executive Director Indiana Criminal Justice Institute  
Hon. James Williams, Union Co. Circuit Court

**Members Not in Attendance**

Hon. David Matsey, Starke Co. Circuit Court  
Rep. Luke Messer, Indiana House of Representatives  
Hon. Judith Proffitt, Hamilton Co. Circuit Court

**Others in Attendance**

Jim Hmurovich, Consultant to SPSC  
Andy Hedges, Legislative Services Agency

**Memoranda**

Sentencing Policy Study Committee Chair, Sen. David Long, called the meeting to order at 10:10 a.m. Sen. Long began the meeting by introducing himself and the other members of the Committee. Jim Hmurovich, consultant to the Committee was thanked by the Chair for his work in preparing the draft of the Committee's final report. Sen. Long stated that he expected all members of the Committee to be outspoken with any and all comments concerning the draft report. Sen. Long concluded the introduction portion by stating that the full Committee would need to meet on Wednesday, October 27, 2004, at 10:00 a.m. for final approval of the report.

Hon. Richard Good, Chair of the Criminal Code Revision Workgroup, stated that the draft legislation provided by the Legislative Services Agency accurately reflected the group's work. A discussion concerning the draft legislation involving BMV reinstatement fees followed. There was a consensus by all members that the Committee did not completely understand how the BMV license reinstatement fee program worked. Andy Hedges of LSA was given the task of determining how the program worked, gathering data on the program, and determining what effect any modification of the program would have on the Bureau's operating budget.

Rep. William Crawford, Chair of the Policy and Systems Development Workgroup, stated that the draft purpose statement and legislative intent accurately reflected the intention of his workgroup.

Todd McCormack, Chair of the Transitional Services Workgroup, also agreed that the draft report reflected the work of his workgroup. LSA was instructed that the definition of "monitoring" in the draft involving supervision of sex offenders should be revised prior to the next meeting to reflect the fact that GPS was only one way to accomplish 24 hour supervision.

The Sentencing Policy Study Committee agreed to the following suggestions by CONSENT:

1. In the Executive Summary portion of the report, the details of the survey should be removed and section 6 of the report should be referenced for discussion of the survey.
2. Revision of the draft "*Blakely*" language to include waiver of rights after "conviction."
3. Revision of the term "work release" to "alternative institutional placement"
4. Reconsideration of the BMV reinstatement fee draft
5. Removal of the term "social control" from #4 of the 1990 past recommendation section
6. Addition of the percentage served in Section 5 of the report
7. Other conforming revisions consistent with the amendments above
8. Various non-substantive revisions.

The Sentencing Policy Study Committee failed to agree to the following proposed revisions involving the draft version of the statutory aggravating circumstances under IC 35-37-2.5:

1. Removal of proposed aggravators numbers one, five, eight, and ten.

Sen. David Long reminded the Committee members that at 10:00 am on the following Wednesday (October 27, 2004) the Committee would reconvene for a final vote on the modifications and the submission of the report to the Legislative Council. The meeting was adjourned at 12:25 pm.